

Compton, Mark

From: Socha, Julianne
Sent: Tuesday, August 07, 2018 8:19 AM
To: Compton, Mark; Bauer, Candice
Subject: WI transfer to DATCP
Attachments: OWM Reg Checklist_ June 14 2016.doc

Categories: No Record

Attached is the latest version of the NPDES rule checklist. I suggest you change the header to something more applicable to how you will be using the checklist with DATCP.

julianne

Julianne Socha
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From: Socha, Julianne
Sent: Tuesday, June 26, 2018 8:05 AM
To: Compton, Mark <compton.mark@epa.gov>; Bauer, Candice <bauer.candice@epa.gov>
Subject: RE: Recap of WI CAFO transfer discussion today.

As you work with DATCP to develop their NPDES CAFO program I recommend you involve WECAB. At this point in time I recommend that WECAB provide any appropriate guidance DATCP should consider in the development of its enforcement and compliance program. Sections 308 and 309 of the CWA and Part 123 should still direct state development of necessary statutes and rules but guidance documents may help explain EPA expectations and will definitely help direct the level of information that should be included in the program description, AG certification and supporting documents included in any state submittal. Possible enforcement and compliance documents could include EPA's compliance inspection manual, NPDES CMS, CWA Penalty Policy, SNC policy (not sure if this policy has been finalized but if not the interim policy should be in force). I also recommend that a WECAB assignee work with Mark on the review of DATCPs program.

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From: Socha, Julianne
Sent: Tuesday, June 26, 2018 7:40 AM
To: Compton, Mark <compton.mark@epa.gov>
Cc: Bauer, Candice <bauer.candice@epa.gov>
Subject: RE: Recap of WI CAFO transfer discussion today.

CAFO rule and CAFO technical standards crosswalk are attached. The technical standards checklist is from EPA's CAFO permit writers' manual and this version of the crosswalk is the version created by HQ. My version of these crosswalks, and likely the ones I previously shared with Candice in hard copy, are slightly different – I have edited them over the years based on what has worked best for my review of Region 5 state rules. I recommend sharing the versions that were

created by HQ and/or publicly available. Both of the attached could be shared with DATCP without ORC assigned attorney review.

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From: Socha, Julianne
Sent: Monday, June 25, 2018 4:53 PM
To: Compton, Mark <compton.mark@epa.gov>
Cc: Bauer, Candice <bauer.candice@epa.gov>
Subject: RE: Recap of WI CAFO transfer discussion today.

Link to EPA's website for MOA: <https://www.epa.gov/compliance/memorandum-agreements-between-epa-and-states-authorized-implement-national-pollutant>

Scroll down to find link to final review documents including the checklist and model MOA.

The NPDES state program guidance documents are attached. Although these documents are from 1986, they are still the current guidance used by OW and OECA in review of state programs.

A copy of the EPA webpage for state authorization is also attached. This identifies the information to include in any request from Wisconsin to transfer a portion of the program from WDNR to DATCP.

Still to provide: LAR crosswalk and CAFO crosswalk. I am looking to see if these are available on EPA's website. If not, I recommend you have the attorney assigned to this matter review the crosswalks to assure that they are complete.

Let me know if I owe you anything else.

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From: Bauer, Candice
Sent: Friday, June 22, 2018 2:37 PM
To: Socha, Julianne <socha.julianne@epa.gov>
Cc: Compton, Mark <compton.mark@epa.gov>; Pierard, Kevin <pierard.kevin@epa.gov>
Subject: Recap of WI CAFO transfer discussion today.

Julianne- Can you please forward the electronic files for the documents you provided to us (checklists, MOA template, guidance docs, etc.) so that we can share them with WDNR? Please include any appropriate disclaimers you think are necessary. WDNR is on an accelerated timeline to get statutory changes to their legislature (by December) and is interested in providing us the completed legal authority checklist in the next couple of weeks (they have started their own version already but would work through ours as well) and then meet 4-6 weeks after that with the EPA team for initial feedback on their proposal to transfer NPDES authority for CAFO permits and enforcement to DATCP (not stormwater). They are also interested in us point to them specifically where we outline the section on funding and staffing plan that must be submitted to us as part of the submission so that they can be thinking about this part of the process for internal state discussions. Also, they were interested if we could point them to good examples of other state submissions and our approval.

Your help to get this to Mark and I would be great. Likely-although we are still discussing this- we will have Mark lead on this first part with close coordination with you as the timeline for this and the Ohio transfer are overlapping. But, we will certainly chat more on this!

Candice

Candice R. Bauer, Ph.D.

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